

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 23, 2016

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Oahu

Issuance of Right-of-Entry Permit to Hilton Hawaiian Village LLC for Beach Activities Purposes on October 21 and 22, 2016 Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:Portion of 021.

APPLICANT:

Hilton Hawaiian Village LLC, a domestic limited liability company.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waikiki, Honolulu, Oahu, identified by Tax Map Key (1) 2-3-037:portion of 021, as shown on the maps attached as **Exhibit A1** and **A2**.

AREA:

6,000 square feet, more or less.

ZONING:

State Land Use District:	Urban
City and County of Honolulu LUO:	Public Precinct

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Beach activities purposes

TERM:

8:00 a.m. on Friday, October 21, 2016 to 10:00 p.m. on Saturday, October 22, 2016.

RENTAL:

Gratis. See Remarks

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, which states the "Permits, licenses, registrations, and rights-of entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing". See **Exhibit B**.

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>X</u>	NO	___
Registered business name confirmed:	YES	<u>X</u>	NO	___
Applicant in good standing confirmed:	YES	<u>X</u>	NO	___

REMARKS:

Hilton Hawaiian Village LLC ("HHV") is requesting a right-of-entry permit over portions of the Duke Kahanamoku Lagoon area as depicted on exhibit A2 in connection with the annual fund raising reception for the Institute of Human Services be held on the hotel's property on October 22, 2016 evening. Two screens will be placed at the requested locations, as depicted on Exhibit A2, for the event.

The fund raising event is entirely on volunteer basis, and HHV and other sponsors of the event will not receive any monetary compensation. HHV requests the Board waive the rent [\$1,200] for the request. Staff has no objection to the request of waiver.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions. No comments were solicited from government or community agencies.

There are no other pertinent issues or concerns, and staff does not have any objection to the request.

RECOMMENDATION: That the Board:

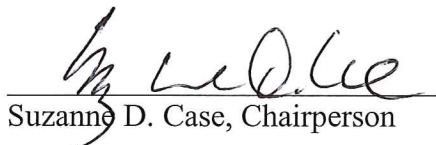
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Hilton Hawaiian Village LLC covering the subject area for beach activities purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
 - b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

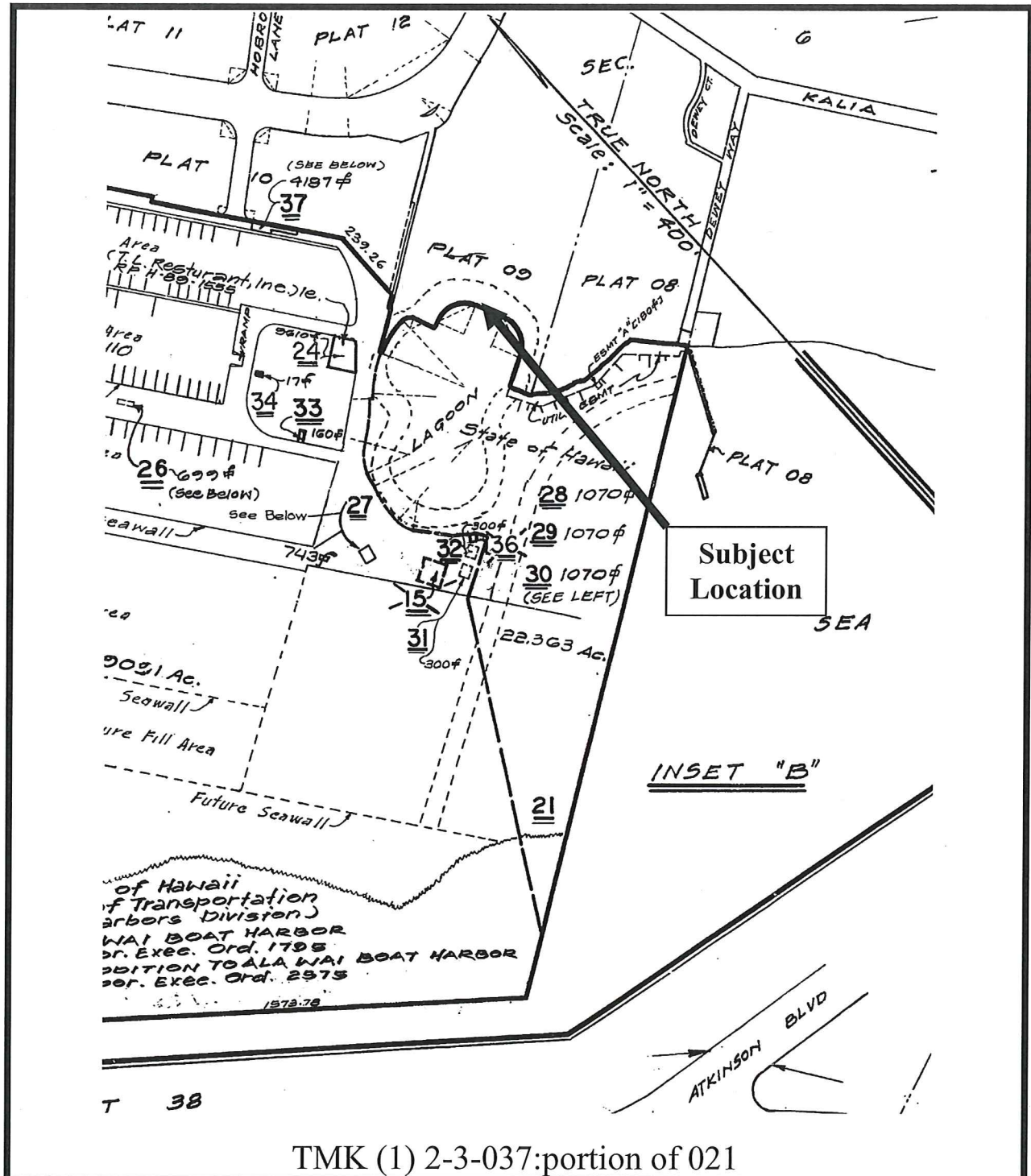
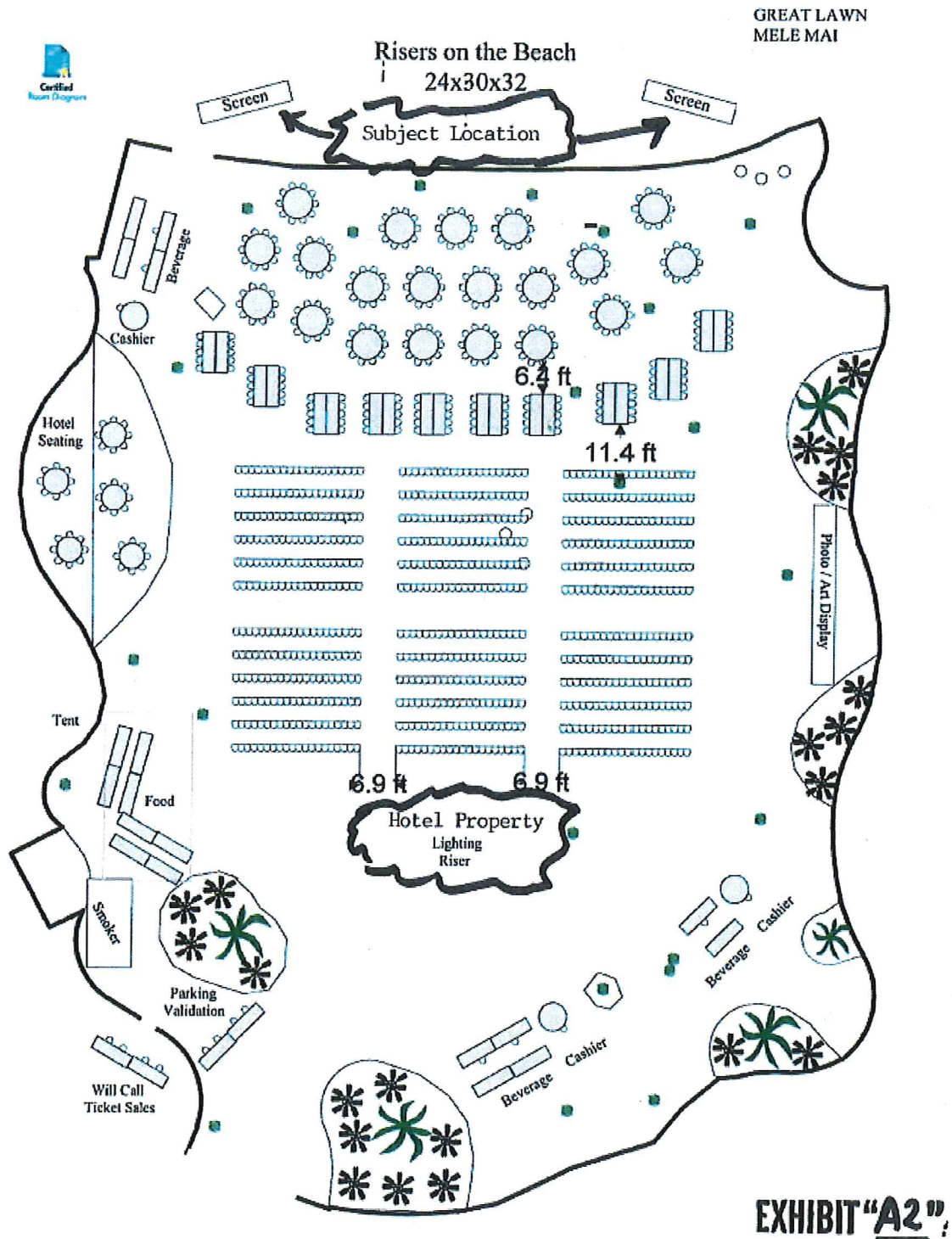


EXHIBIT A1



NOTE: Table locations may need to be adjusted due to uneven surface

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

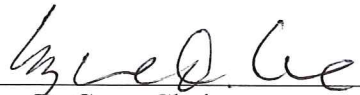
Project Title: Issuance of Right-of-Entry Permit for Beach Activities Purposes on Duke Kahanamoku Beach
Project / Reference No.: Not applicable
Project Location: Waikiki, Honolulu, Oahu, TMK (1) 2-3-037:portion of 021.
Project Description: Used as portion of the fund raising event to be held at the adjoining hotel property.
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, which states the "Permits, licenses, registrations, and rights-of entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing".

This Board has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. As such staff believes that the proposed event would involve negligible or no expansion or change in use beyond that previously existing.

Consulted Parties: Office of Conservation and Coastal Lands.

Recommendation: It is recommended that the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



Suzanne D. Case, Chairperson
Date 9/17/16

EXHIBIT B